

BAKER BOTTS LLP



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REQUEST FOR CONTINUED
EXAMINATION (RCE) TRANSMITTAL

Application Number: 09/837,998
First Named Inventor: Jacobs
Group Art Unit: 1636
Examiner Name: Guzo, D.
Customer Service No.:
Attorney Docket No.: A33781 (072448.0308)
Total Pages: 8

BY EXPRESS MAIL - LABEL NO. ET346769169US

October 11, 2002

U.S. Patent and Trademark Office
Box RCE
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) of prior application No. 09/837,998 filed on April 19, 2001, entitled "VIRAL VECTORS HAVING REDUCED VIRULENCE"

Submission Required under 37 C.F.R. § 1.114:

- ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☒ A response is enclosed. (5 p.)
- ☐ Declaration enclosed.
- ☐ Information Disclosure Statement (IDS) is enclosed ().
 - ☐ PTO-1449 ()
 - ☐ Copies of IDS Citations ()
- ☐ Other _____
- ☒ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three months. (*Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) is required.*)
- ☒ The term for response or taking action in the prior application expires on October 12, 2002.
- ☒ A three month Extension of Time up to and including October 12, 2002, to respond to the PTO communication is hereby requested under 37 C.F.R. § 1.136(a).

10/16/2002 CNGUYEN 00000156 024377 09837998

01 FC:2801 370.00 CH

10/16/2002 CNGUYEN 00000156 024377 09837998

03 FC:1460 130.00 CH
NY02:410850.1

BAKER BOTTS LLPFEE CALCULATION:

[X] The fee for an extension of time to respond (37 C.F.R. § 1.17(1)-(5)) is calculated as shown below:

	<u>Extension (months)</u>	<u>Fee for small entity</u>	<u>Other Than A Small Entity Rate Fee</u>
[]	one month	\$55.00	\$110.00
[]	two months	\$200.00	\$400.00
[X]	three months	\$460.00	\$920.00
[]	four months	\$720.00	\$1,440.00
[]	five months	\$980.00	\$1,960.00
[]	Other		

[] The claim amendment fee is calculated as shown below:

	<u>Claims remaining after amendment (Col. 1)</u>	<u>Highest No. Prev. Paid for (Col. 2)</u>	<u>Present extra (Col. 3)</u>	<u>Small Entity Rate Fee</u>	<u>or</u>	<u>Other Than A Small Entity Rate Fee</u>
Total	6	Minus 20	= 0	x 9 = \$0	<u>or</u>	x 18 = \$0
Ind.	2	Minus 3	= 0	x 42 = \$0	<u>or</u>	x 84 = \$0
() First Presentation of Multiple Dependent Claim				+ 140 = \$0	<u>or</u>	+280 = \$0
Total Claim Amendment Fee:						\$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. prev. paid for" in this space is less than 20, write "20" in this space.

*** If the "Highest No. prev. paid for" in this space is less than 3, write "3" in this space.

FEE PAYMENT BEING MADE:

[X]	Extension of time fee (from above)	\$460.00
[]	Claim amendment fee (from above)	\$0.00
[X]	RCE filing fee—small entity: \$370.00 (37 C.F.R. § 1.17(e))	\$370.00
[]	RCE filing fee—other than small entity: \$740.00 (37 C.F.R. § 1.17(e))	\$0.00
[X]	Suspension of action fee: \$130.00 (37 C.F.R. § 1.17(i))	<u>130.00</u>
TOTAL FEE DUE:		\$ 960.00

[] A check in the amount of \$0.00 is enclosed.

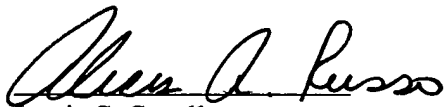
[X] The Commissioner is hereby authorized to charge \$960.00 to Deposit Account No. 02-4377.
Duplicate copies of this sheet are enclosed.

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- [X] The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the submission of this communication, including any fees under 37 C.F.R. §§ 1.16, 1.17, or 1.21(h), and to credit any over payments, to Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

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